

EXHIBIT A

From: [McClure, Elissa](#)
To: [Seema Ahmad](#); [Ron Chowdhury](#)
Cc: [Axel Douglas A.](#); [Hanrahan, Thomas P.](#); [Singh, Anand](#)
Subject: RE: U.S. v. Brank
Date: Friday, May 29, 2015 8:15:40 PM
Attachments: [Scanned by MFD001.pdf](#)
[3bclean-control bin](#)

Seema and Ron:

Please see the attached correspondence.

Best,
Elissa

ELISSA M. McCCLURE
Associate

Sidley Austin LLP
+1.214.981.3446
elissa.mcclure@sidley.com

-----Original Message-----

From: Singh, Anand
Sent: Wednesday, May 27, 2015 1:18 PM
To: Seema Ahmad
Cc: Ron Chowdhury; McClure, Elissa; Hanrahan, Thomas P.
Subject: RE: U.S. v. Brank

Seema:

That time works. We can use the following dial-in:

Toll-Free: 888-446-7584
Access Code: 8731813

Thank you.

Anand

-----Original Message-----

From: Seema Ahmad [mailto:Seema_Ahmad@fd.org]
Sent: Tuesday, May 26, 2015 11:59 AM
To: Singh, Anand
Cc: Ron Chowdhury; McClure, Elissa; Hanrahan, Thomas P.
Subject: Re: U.S. v. Brank

Hi Anand,

Can we do Thursday at 3pm? Thanks.

> On May 26, 2015, at 9:19 AM, Singh, Anand <anand.singh@sidley.com> wrote:

>

> Ron:

>

> We are available on Wednesday afternoon and Thursday afternoon. Let us know if there are particular times that work best for you. I will circulate a dial-in.

>

> Thank you.

>

> Anand

>

> -----Original Message-----

> From: Ron Chowdhury [mailto:Ron_Chowdhury@fd.org]

> Sent: Friday, May 22, 2015 4:35 PM
> To: Singh, Anand
> Cc: McClure, Elissa; Seema Ahmad; Hanrahan, Thomas P.
> Subject: Re: U.S. v. Brank
>
> Thank you. Would you be available on Wednesday or Thursday?
>
> Thank you.
>
> Ron

>
> Ron Chowdhury | Deputy Federal Public Defender
> 321 E. 2nd Street | Los Angeles, CA 90012
> (213) 894-1456 direct | (213) 894-0081 facsimile
> .

>
>
>
> From: "Singh, Anand" <anand.singh@sidley.com>
> To: Seema Ahmad <Seema_Ahmad@fd.org>, Ron Chowdhury
> <Ron_Chowdhury@fd.org>
> Cc: "McClure, Elissa" <elissa.mcclure@sidley.com>, "Hanrahan,
> Thomas P." <thanrahan@sidley.com>
> Date: 05/22/2015 04:29 PM
> Subject: U.S. v. Brank
>
>
>

> Seema and Ron:

>
> Following up on the message we left on Ron's voicemail last week, please
> let us know when you are available to continue our discussion concerning
> the Axel Subpoena. We are available next week.
>

> Thank you.

> Anand
>
>
>
>
>
>

>
> This e-mail is sent by a law firm and may contain information that is
> privileged or confidential.
> If you are not the intended recipient, please delete the e-mail and any
> attachments and notify us
> immediately.
>
>

>



SIDLEY AUSTIN LLP
555 WEST FIFTH STREET
LOS ANGELES, CA 90013
(213) 896 6000
(213) 896 6600 FAX

thanrahan@sidley.com
(213) 896 6654

BEIJING	HONG KONG	SAN FRANCISCO
BOSTON	HOUSTON	SHANGHAI
BRUSSELS	LONDON	SINGAPORE
CHICAGO	LOS ANGELES	SYDNEY
DALLAS	NEW YORK	TOKYO
GENEVA	PALO ALTO	WASHINGTON, D.C.

FOUNDED 1866

May 29, 2015

Via Email

Seema Ahmad
Ron Chowdhury
Federal Public Defenders Office
321 East 2nd Street
Los Angeles, CA 90012

Re: U.S. v. Teofil Brank (Case No. 2:15-cr-00131-JFW)

Dear Ms. Ahmad and Mr. Chowdhury:

We write to follow-up on our discussion yesterday concerning the May 4, 2015 subpoena that purports to command the attendance of Doug Axel, counsel for the Victim, to testify at trial in the above-referenced proceedings (the "Subpoena").

As we explained yesterday and during our earlier discussion on May 6, 2015, Mr. Axel's testimony is neither necessary nor appropriate. You have not cited to, and we are not aware of, any criminal proceeding in which a Court has required the victim's counsel to testify. Nor have you demonstrated that Mr. Axel's testimony is relevant, and commanding his presence would be particularly inappropriate given that there are other witnesses who can offer the same testimony.

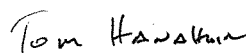
It is clear that the law abhors requiring attorneys to testify against their clients. Yesterday, you asked us to provide you authority that supports our position. We direct your attention to *United States v. Bergeson*, 425 F.3d 1221, 1224-25 (9th Cir. 2005). In that case, the Ninth Circuit expressly recognized that "issuing a subpoena to a lawyer to testify against a client is an unusual step that always raises serious concerns" and "invites all sorts of abuse." 425 F.3d at 1224-25. We also urge you to consider *Gutierrez v. Girardi*, 194 Cal. App. 4th 925, 932 (2011) and California Rule of Professional Conduct 3-310, both of which instruct that Mr. Axel owes indivisible duties to the Victim.

We are prepared to file a motion for an order quashing the Subpoena, but we would prefer to avoid burdening the Court. Accordingly, after you have considered the authorities referenced above, please let us know whether you will withdraw the Subpoena. If not, we will have no choice but to seek judicial intervention.



Seema Ahmad
Ron Chowdhury
May 29, 2015
Page 2

Very truly yours,

 AS

Thomas P. Hanrahan

cc: Douglas A. Axel
Anand Singh
Elissa McClure